

Practitioner's Docket No. 180/179 PCT/US
Serial No. 10/574,129

CHAPTER II

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/US04/32710	04 October 2004(04.10.04)	02 October 2003 (02.10.03)
International Application No.	International Filing Date	Priority Date Claimed

A NOVEL SIRNA-BASED APPROACH TO TARGET THE HIF-ALPHA FACTOR FOR GENE
THERAPY

Title of Invention

Li et al.

Applicant(s)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTENTION: EO/US

COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495
(FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date
November 2, 2006 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV974208909US.

Stacie H. Boswell

Date: November 2, 2006

Stacie H. Boswell
Signature of person certifying

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

DECLARATION OR OATH

- I. The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

FEES

II.

1. Surcharge fees

Surcharge for filing the oath or declaration
later than thirty months from the priority
date pursuant to § 1.495(c):

\$65.00

Total Fees

\$65.00

EXTENSION OF TIME

- III. The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of two months, the small entity fee for which is \$225.00 as set out in 37 C.F.R. § 1.17(a)(1). If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request \$225.00

TOTAL FEE DUE

- IV. The total fee due is:

Completion fee(s)

\$65.00

Extension fee (if any)

\$225.00

TOTAL FEE DUE \$290.00

PAYMENT OF FEES

- V. A check in the amount of \$290.00 is enclosed herewith and the Commissioner is hereby authorized to charge any additional fees required by this paper or credit any overpayment to Deposit Account Number 50-0426.

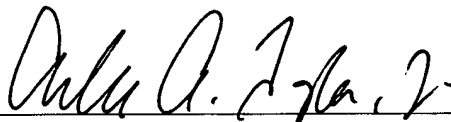
Date:

02 Nov. 2006

Reg. No.: 39,395

Tel. No.: 001-919-493-8000

Customer No.: 25297



Signature of Practitioner

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UNITED STATES OF AMERICA

11/07/2006 GFREY1 00000104 10574129

01 FC:2617

65.00 CP

02 FC:2252

225.00 CP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,129	Duke University	180179PCTUS

INTERNATIONAL APPLICATION NO.

PCT/US04/32710

25297
 JENKINS, WILSON, TAYLOR & HUNT, P. A.
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 SUITE 1200
 DURHAM, NC 27707

I.A. FILING DATE	PRIORITY DATE
10/04/2004	10/02/2003

CONFIRMATION NO. 9249

371 FORMALITIES LETTER



OC000000019436789

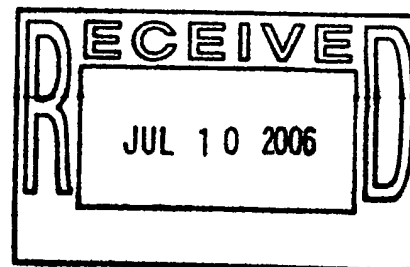
Date Mailed: 07/05/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/31/2006
- Copy of the International Search Report filed on 03/31/2006
- Preliminary Amendments filed on 06/07/2006
- Biochemical Sequence Diskette filed on 03/31/2006
- Oath or Declaration filed on 03/31/2006
- Biochemical Sequence Listing filed on 03/31/2006
- Small Entity Statement filed on 03/31/2006
- Request for Immediate Examination filed on 03/31/2006
- U.S. Basic National Fees filed on 03/31/2006
- Priority Documents filed on 03/31/2006
- Specification filed on 03/31/2006
- Claims filed on 03/31/2006
- Abstracts filed on 03/31/2006
- Drawings filed on 03/31/2006
- Paper nucleotide sequence listings filed on 03/31/2006

Initial: *9/5/06*
 RECEIVED DATE: *August 2/5/07*
 ASSIGNED ATTY: *ATT/CPB*
 FILE NO. *180179 PCT/US*
 DOCKETED BY: *CHB*
 DATE: *7/11/06*



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

- is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,129	PCT/US04/32710	180179PCTUS

FORM PCT/DO/EO/905 (371 Formalities Notice)